

Message Text

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ACTION EUR-08

INFO OCT-01 EURE-00 ISO-00 SSO-00 SS-14 /023 W

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O R 071502Z JUN 77

FM AMEMBASSY BUCHAREST

TO SECSTATE WASHDC IMMEDIATE 3230

INFO AMEMBASSY BELGRADE

AMEMBASSY BERLIN

AMEMBASSY BUDAPEST

AMEMBASSY MOSCOW

AMEMBASSY PRAGUE

AMEMBASSY SOFIA

AMEMBASSY WARSAW

USMISSION BERLIN

C O N F I D E N T I A L SECTION 1 OF 2 BUCHAREST 4248

LIMDIS

E.O. 11652: GDS

TAGS: SHUM, RO

SUBJECT: HUMAN RIGHTS: COUNTRY ACTION PLANS

REF: STATE 124498; STATE 127478

1. DRAFT TEXT PREPARED BY EUR/EE IS EXCELLENT, AND WE HAVE VERY FEW COMMENTS.

2. SECTION A1 - INSERT AT END OF SECTION: "A SECOND AMNESTY ISSUED JUNE 2, 1977 PROVIDES FOR RELEASE OF MINORS (UNDER 18) AND THOSE 18 TO 21 WHO ARE PRESENTLY IMPRISONED FOR CRIMES 'WHICH DO NOT PRESENT A HIGH DEGREE OF SOCIAL DANGER.' HENCEFORTH, SUCH OFFENDERS WILL BE SENTENCED TO SUPERVISED CORRECTIVE LABOR RATHER THAN TO PRISON TERMS." CHANGE FIRST SENTENCE TO READ: "SINCE THE LATE 1950'S (VICE "EARLY"). CHANGE SEVENTH SENTENCE TO READ: "PUNISHMENT ALSO SOMETIMES..."

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(VICE OFTEN).

3. SECTION A2 - FREEDOM OF THOUGHT. SUGGEST FOLLOWING ADDITION AFTER FIRST SENTENCE: "NEVERTHELESS, THERE IS A PERVASIVE GOVERNMENT INVASION OF PERSONA PRIVACY; APPLICANTS FOR MANY JOBS, FOR EXAMPLE, MUST COMPLETE FORMS WHICH DELVE IN DEPTH INTO THE INDIVIDUAL'S PERSONAL

HISTORY, ECONOMIC/SOCIAL STATUS, AND ACTIVITIES, HTAS WELL AS THOSE OF HIS IMMEDIATE FAMILY, SPOUSE, AND SPOUSE'S FAMILY. MANY ROMANIANS BELIEVE THAT THEY ARE SUBJECT TO SURVEILLANCE BY GOVERNMENT SECURITY FORCES, THAT THEIR TELEPHONES ARE TAPPED, AND THAT PERSONAL DOSSIERS ARE KEPT ON THEM. ROMANIAN LAW REQUIRES THAT ALL CONTACTS BETWEEN ROMANIAN CITIZENS AND FOREIGNERS BE REPORTED TO THE AUTHORITIES. THE SUM TOTAL OF THESE MEASURES IS TO CREATE AN ATMOSPHERE WHICH SHARPLY INHIBITS THE FREE EXPRESSION OF VIEWS."

4. SECTION A2 - FREEDOM OF RELIGION. TO OUR KNOWLEDGE, EVANGELISM AND PROSELYTIZING ARE NOT "FORBIDDEN" BUT ONLY "DISCOURAGED".

5. SECTION A-2 - EMIGRATION. ADD NEW SENTENCE FOLLOWING "...IN A HUMANITARIAN WAY IN THE FUTURE. HOWEVER, PRESENT ROMANIAN GOVERNMENT PRACTICES REQUIRE SUCCESSFUL EMIGRANTS BEFORE DEPARTURE TO DIVEST THEMSELVES OF SUCH IMPORTANT PERSONAL POSSESSIONS AS LAND AND RESIDENCES AT UNREALISTICALLY LOW PRICES AND TO PAY TAXES AND OTHER CHARGES WHICH CAN BE FAIRLY TERMED AS EXORBITANT."

6. SECTION A-2 - DEMOCRATIC PROCESSES: CHANGE LAST SENTENCE TO READ: "IN RECENT YEARS THE ROMANIAN GOVERNMENT HAS INTRODUCED THE PRACTICE OF MULTIPLE CANDIDACIES FOR SOME LOCAL, COUNTY, AND NATIONAL ELECTORAL DISTRICTS WHICH GIVES THE VOTER SOME CONFIDENTIAL

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ADDITIONAL BUT STILL VERY LIMITED CHOICE."

7. SECTION A-2 - WE NOTE THAT DEPARTMENT DRAFT AT NO POINT DISCUSSES ALLEGATIONS THAT GOR IS "REPRESSING" OR OTHERWISE MISTREATING MINORITY GROUPS, PARTICULARLY ETHNIC HUNGARIANS. WHILE WE ARE EXTREMELY RELUCTANT TO BE CAUGHT IN THIS PARTICULAR POLEMIC (SEE SEPTTEL), WE THINK THE ISSUE PROBABLY NEEDS TO BE ADDRESSED IN THIS PAPER TO FORESTALL OTHERS RAISING IT IN MORE EMOTIONAL TERMS. WE SUGGEST INSERTION OF BLAND STATEMENT ALONG FOLLOWING LINES: "ALTHOUGH THERE ARE ALLEGATIONS THAT IN SPITE OF ITS PROFESSED NON-DISCRIMINATORY POLICY THE ROMANIAN GOVERNMENT PRACTICES CONSCIOUS DISCRIMINATION AGAINST MINORITY GROUPS, PARTICULARLY EHTNIC HUNGARIANS, THERE IS NO CONCLUSIVE EVIDENCE OF THE EXISTENCE OF SUCH A PATTERN."

8. SECTION A3 - CHANGE SECOND SENTENCE TO READ: "...TO FLOW TO COMMUNIST PARTY OFFICIALS..." (DELETING

"HIGH").

9. SECTION A4 - WE HAVE NO REAL PROOF THAT SOME IN THE
LEADERSHIP "FAVOR" A MORE LIBE
CAL INTERNAL POLICY. WE
SUGGEST MODIFYING TO "MAY FAVOR."

10. SECTION B1 - CHANGE SIXTH SENTENCE TO READ:
"...SUCH AS THE WORLD BANK SHOULD NOT BE USED..." CHANGE
NINTH SENTENCE TO READ: "... AND BROAD BUT RESPONSIBLE
RFE COVERAGE..."

11. SECTION B3 - MOST DISSIDENTS DENY THEY ARE TRYING TO
"UNDERMINE THE CURRENT REGIME", ALTHOUGH CLEARLY GOR MUST
REGARD THEM IN THIS LIGHT. SUGGEST FOLLOWING REPHRASING:
"IF, HOWEVER, OUR SUPPORT FOR HUMAN RIGHTS IS SO PUBLIC AND
SPECIFIC AS TO LINK THE UNITED STATES IN THE EYES OF
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ROMANIAN GOVERNMENT LEADERS WITH THOSE WHOM THEY PERCEIVE
ARE ATTEMPTING TO UNDERMINE THE CURRENT REGIME,..."

12. SECTION B GENERAL - WE STRONGLY AGREE WITH DEPARTMENT
DRAFT THAT BEST COURSE OF ACTION TO ACHIEVE HUMAN RIGHTS
GOALS IS CONTINUED QUIET BUT FORCEFUL U.S. REPRESENTATIONS
THROUGH DIPLOMATIC CHANNELS. WE HAVE MADE OUR POSITION CLEAR

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C O N F I D E N T I A L SECTION 2 OF 2 BUCHAREST 4248

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ON THREE RECENT OCCASIONS (NIMETZ/NICOLAE MAY 5, GLIGA/ARMITAGE MAY 18, AND CHRISTOPHER/GLIGA MAY 31), AND GOR SEEMS TO HAVE GOT TE MESSAGE. PRESIDENT'S STATEMENT ON JUNE 3 MFN EXTENSION THAT U.S. GOVERNMENT WILL CAREFULLY MONITOR ROMANIA'S PERFORMANCE ALSO SERVES AS PERTINENT REMINDER. FURTHER, BELGRADE CSCE FOLLOW-UP CONFERENCE SERVES AS AT LEAST SHORT-TERM REIN ON ROMANIAN GOVERNMENT BEHAVIOR IN HUMAN RIGHTS FIELD. CONSEQUENTLY, WE SEE NO NEED AT THIS TIME TO MAKE ADDITIONAL REPRESENTATIONS OR "LINKAGES" TO SUCH ITEMS AS IFI LOANS OR EARTHQUAKE ASSISTANCE. SHOULD SITUATION DETERIORATE IN NEXT SIX MONTHS, THEN THESE REPRESENTATIONS SHOULD BE MADE.

13. FINALLY, WE WONDER IF DRAFT PAPER SUFFICIENTLY RECOGNIZES VASTLY DIFFERENT DEFINITION OF HUMAN RIGHTS IN ROMANIA AND UNITED STATES. AS IN ALL COMMUNIST AND CONFIDENTIAL

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MANY OTHER SOCIETIES, ROMANIA PLACES PRIMACY ON "SOCIAL RIGHTS" OF THE CITIZEN -- TO A JOB, A HOME, AN EDUCATION, ETC.--WHILE STRESSING DUTY OF ALL CITIZENS TO FURTHER COLLECTIVE POLITICAL, ECONOMIC, AND SOCIAL GOALS OF THE STATE. THIS APPROACH SUBORDINATES THE INDIVIDUAL TO THE STATE, WHILE OUR APPROACH, STEMMING FROM A TOTALLY DIFFERENT HISTORICAL AND CULTURAL TRADITION, IS DIAMETRICALLY OPPOSED. WHILE WE ARE IN NO WAY ADVOCATING DE-EMPHASIS ON RIGHTS OF THE INDIVIDUAL VIS-A-VIS THE STATE, WE DO BELIEVE THAT THERE IS SOME ROOM FOR HONEST DIFFERENCES OF OPINION.
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